

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number	10/714,159 (6,883,481)
Filing Date	11/14/2003 (04/26/2005)
First Named Inventor	Gardner et al
Art Unit	3748
Examiner Name	Ching Chang
Attorney Docket Number	BW-DKT01013B

### ENCLOSURES (Check all that apply)

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                     | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance communication to Technology Center (TC)        |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply                                     | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund   | PostCard  |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> CD, Number of CD(s) _____                                      | Certificate of Correction   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              |   | Copy of Petition  |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    |   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Brown & Michaels, PC
Signature	
Date	5/10/05

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name  
Judy H. Barron

Signature

Date

5/10/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAY 20 2005



PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 100.00

**Complete if Known**

Application Number	10/714,159 (6,883,481)
Filing Date	11/14/2003 (04/26/2005)
First Named Inventor	Gardner et al.
Examiner Name	Ching Chang
Art Unit	3748
Attorney Docket No.	BW-DKT01013B

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 02-0910 Deposit Account Name: Brown & Michaels PC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x 50	=	0

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x 200	=	0

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	250	= 0

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Certificate of Correction

100.00

**SUBMITTED BY**

Signature		Registration No. 45,612 (Attorney/Agent)	Telephone 607-256-2000
Name (Print/Type)	Meghan Van Leewuen		Date 5/10/05

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAY 20 2005



10/714159

Patent No. 6,883,481

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number: 6,883,481

Issued: April 26, 2005

Name of Patentee: Gardner et al.

Title of Invention: Torsional Assisted Multi-Position Cam Indexer Having Controls Located in Rotor

Certificate  
MAY 18 2005  
of Correction

Commissioner of Patents  
Attn: **Decision and Certificate of Correction Branch**  
of the Patent Issue Division  
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT  
FOR APPLICANTS MISTAKE (37 CFR 1.323)**

1. It is noted that an error appears in the patent of a minor nature or character as more fully described below. The error occurred in good faith and correction thereof does not involve such changes in the patent that would constitute new matter or would require re-examination. A certificate of correction is requested.

2. Attached in duplicate is Form PTO-1050 with at least one copy being suitable for printing.

3. The exact page and line numbers where errors occur in the application file are:

Cover Page, INID Code (73) Assignee: **BorgWarner Inc.**, Auburn Hills, MI (US)

4. A Petition under 37 CFR 1.183 to waive the rules under 37 CFR 3.81(a) is being filed concurrently with the Office of Petitions. A copy of the Petition is attached.

5. Please send the Certificate to:

Brown & Michaels PC  
400 M&T Bank Bldg., 118 N. Tioga Street  
Ithaca, New York 14850-4343


6. Enclosed is a check for \$100.00 as required by 37 CFR 1.20(a).

MAY 20 2005

05/16/2005 TBESHAH2 00000122 020910 6883481

01 FC:1811 100.00 DA

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 02-0910. A duplicate of this request is attached.

By:   
Meghan Van Leeuwen, Registration No.: 45,612  
BROWN & MICHAELS, PC  
400 M&T Bank Building  
118 N. Tioga Street  
Ithaca, NY 14850  
(607) 256-2000  
(607) 256-3628 (Fax)  
Date: 5/10/05

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**CERTIFICATE OF CORRECTION**

**PATENT NO.: 6,883,481**

**DATED: April 26, 2005**

**INVENTOR(S): Gardner et al**

**It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:**

**Cover Page, INID Code (73) Assignee: BorgWarner Inc., Auburn Hills, MI (US)**

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**MAILING ADDRESS OF SENDER:**

**PATENT NO. 6,883,481**

Brown & Michaels, PC  
400 M&T Bank Building  
118 North Tioga Street  
Ithaca, New York 14850-4343



*Copy*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

May 10, 2005

In re Patent of: Gardner et al  
U.S. Patent No.: 6,883,481  
Filed: November 14, 2003  
Issued: April 26, 2005  
Attorney Docket No.: BW-DKT01013B

**PETITION UNDER 37 CFR 1.183**

Mail Stop: Petitions  
COMMISSIONER OF PATENTS  
P.O. Box 1450  
Washington, D.C. 20231

Applicant hereby requests that the requirements of 37 CFR 3.81 (a) be waived, to permit the correct name of the Assignee to be provided after issuance of the patent.

The failure to include the correct spelling of the name of the Assignee was inadvertent. The Assignee name was inadvertently miscapitalized on the PTOL-85B fee transmittal form.

Please correct the name of the Assignee to the following:

BorgWarner Inc.


The following information is also being included with this petition:

- 1) The petition fee as set forth in 37 CFR 1.17(f);
- 2) A copy of the Notice of Recordation of the Assignment; and
- 3) A copy of the paperwork requesting a Certificate of Correction.

copy

If this petition is granted, please forward it to the Certificate of Corrections branch, for issuance of a Certificate of Correction under 37 CFR 1.323.

Respectfully Submitted:

By:   
Meghan Van Leeuwen, Reg. No. 45,612  
Attorney of Record  
BROWN & MICHAELS, P.C.  
400 M&T Bank Building - 118 N. Tioga St.  
Ithaca, NY 14850  
(607) 256-2000 • (607) 256-3628 (fax)  
e-mail: docket@bpmlegal.com  
Dated: 5/10/05



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*500030114\*

MAY 05, 2005

PTAS

BORGWARNER INC.  
3850 HAMLIN ROAD  
AUBURN HILLS, MI 48326

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES DIVISION, P.O. BOX 1450, ALEXANDRIA, VA 22314.

RECORDATION DATE: 05/05/2005

REEL/FRAME: 015972/0458  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
GARDNER, MARTY

DOC DATE: 08/28/2002

ASSIGNOR:  
DUFFIELD, MICHAEL

DOC DATE: 09/05/2002

ASSIGNEE:  
BORGWARNER INC.  
3850 HAMLIN ROAD  
AUBURN HILLS, MICHIGAN 48326

SERIAL NUMBER: 10714159  
PATENT NUMBER: 6883481

FILING DATE: 11/14/2003  
ISSUE DATE: 04/26/2005

TITLE: TORSIONAL ASSISTED MULTI-POSITION CAM INDEXER HAVING CONTROLS  
LOCATED IN ROTOR



015972/0458 PAGE 2

*Copy*

ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS